

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING APPLICATION UNDER RULE 60

Pursuant to 37 CFR 1.60, please file a
[] continuation/[X] divisional
of the pending prior PATENT APPLICATION of:

Inventor(s): Reid W. von Borstel, et al

Serial No.: 08/176,485

Filed: December 30, 1993

For: TREATMENT OF CHEMOTHERAPEUTIC AGENT AND
ANTIVIRAL AGENT TOXICITY WITH ACYLATED
PYRIMIDINE NUCLEOSIDES

Atty. Dkt. 1331-138

C# M#

Date: June 2, 1995

Group: 1803

Examiner: G. Kunz

Hon. Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

This request for filing under Rule 60 is made by the following named inventor(s) (using the above-identified title):

Inventor(s): Reid Warren von BORSTEL, and Michael Kevin BAMAT

- [X] Attached is a true copy of the prior application as originally filed including the specification, claims, Oath/Declaration and drawings (if any) and abstract (if any). No amendments (if any) referenced in the Oath or Declaration filed to complete the prior application introduced new matter.
- [X] The prior application is assigned to Pro-Neuron, Inc..
- [X] Power of Attorney has been granted to Thomas E. Byrne et al, Reg. No. 32,205 of Nixon & Vanderhye P.C., 1100 North Glebe Road, 8th Floor, Arlington, Virginia 22201. Address all future communications to this address.
- [X] Amend the specification by inserting, before the first line, the sentence: --This is a Divisional of application Serial No. 08/176,485, filed 12/30/93, which is a CIP of Ser. No. 08/061,381 filed 05/14/93, which is a CIP of Ser. No. 07/903,107 filed 06/25/92, which is a CIP of 07/724,340 filed 07/05/91 (abandoned), which is a CIP of Ser. No. 07/438,493 filed 6/26/90 (abandoned), which is a CIP of Ser. No. 07/115,929 filed 10/28/87 (abandoned), and Ser. No. 07/724,340 in turn is a CIP of Ser. No. 07/487,984 filed 02/05/90 (abandoned), which is a CIP of Ser. No. 07/115,923 filed 10/28/87 (abandoned).--
- [X] "Small entity" statement of record. [] "Small entity" statement attached.
- [X] Petition filed in prior application to extend its life to insure copendency.
- [X] The Examiner's attention is directed to the prior art cited in the parent application by applicant and/or Examiner for the reasons stated therein.
- [X] Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

Please cancel claims 26 - 112.

FILING FEE (AS AMENDED)

| | | | |
|---|-------------|---------------------------|------------------|
| Basic filing fee | | \$ | 730.00 |
| Total effective claims | 25 - 20 = 5 | x \$22..... | \$ 110.00 |
| Independent claims | 1 - 3 = 0 | x \$76..... | \$ 0.00 |
| If any proper multiple dependent claims, add \$240 (ignore improper) | | \$ | |
| | | FILING FEE | \$ 840.00 |
| Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110/1 month; \$370/2 months; \$870/3 months) | | \$ | |
| | | FIRST SUBTOTAL | \$ 840.00 |
| If "small entity," then enter half (1/2) of subtotal and subtract | | \$(| 420.00) |
| | | SECOND SUBTOTAL | \$ 420.00 |
| Assignment Recording Fee (\$40.00) | | \$ | |
| | | TOTAL FEE ENCLOSED | \$ 420.00 |

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

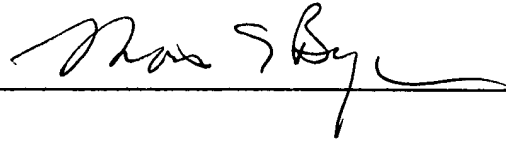
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Facsimile: (703) 816-4100
TEB/lfo

NIXON & VANDERHYE P.C.

By Atty.: Thomas E. Byrne

I, Reg. No. 32,205

Signature: _____

A handwritten signature in cursive script, appearing to read "Thomas E. Byrne", is written over a horizontal line.